App F IX-4

Previous References

1938
(mel)

File No 98-38
Serial Nos 1, 2
4, 5, 6

Later References
mel 70-38 SB/134/142
mel 74-39 (6, 11, 12)
mel 111-40 (1, 2)
" 63-41 Rs:142/B Sept 2. '41.
" 111—44 (1 2) 27-30
" 165—43

GENERAL AND REVENUE SECRETARIAT.

Serial Nos ~~Two~~

Six

Part B for ~~Sept. 38~~ January 1939

SUBJECT

Delegation of powers to the Pl ~~Et~~ Ml. Cl Chickmagalur

2)

To

The D C Kadur

WD 0296—GPB—22,500—12-6-37

No L 2166-Qr 9 9 38

4 6) To The D C Kadur Dstt

No L6185 Dt 3/11/1939

Approves the final rules prepared in this behalf

9

5801 Jo - 3

General and Revenue Secretariat | File No | of 193 | [App F III-2

Serial No.	
9)	Draft G.O. Levy in accordance with the opinions expressed by the Hon Levy Dean is for approval or orders. Levy & V.S) 10) may be approved 25/8/38 (I Member) 11) Rdd 30/8/38 (2) 30/8
2	Issued to The Deputy Commissioner, Kadur District No L 2166, dated 9.9.38 Sanctions the resolution of the Mc Council Chikmagalur, with the omission of the powers mentioned in Section 48 (2) of the Local Municipalities Act '33
3	Forwards the Agenda Papers in the Case of Chikmagalur Municipality Requesting sanction the resolution of the Chikmagalur Municipality delegating to itself the power of prosecuting persons offending against the provisions of Section 129 of the Act 18) Submits a draft G.O. for approval. 18.10.38 Levy & V.S) 10) 7.0. (I Member) 11) 23/10/38 24/10/38

26 AUG 1938 No. 432

SECRETARIAT 31 AUG. 1938 GEN. & REV. SECTION

SECOND SECTION 21 OCT 1938 No. 2960

NOTE—Contin Sheet.

9/ 566/38 55.1

File No. of 193 General and Revenue Secretariat

Serial No.

files, if any, in which orders have been passed by Govt approving the delegation of powers if any by the President. But it is seen that no such reference is available and no such delegation seems to have been proposed or approved by Govt after the promulgation of the Zamorin Act of 1933. 6) Reference is however invited to para 19 of the Rules & Bylaws of the Charitable Zamorin Hereditary Trustship, in which such a delegation of the powers reserved to the President may be made by the President of the said Trust under the Rules of 1906

7) Refer para 4 supra

Sir 24/7/38 Asst. Legy Govt

2/22/11-

8) I agree with the Legy Govt that it is not desirable to delegate the powers under section 48 (2), but there seems to be no objection to delegate the power under Sec 78 (4), particularly when powers under sub-section 1 & 3 are also delegated

Asst Secy Legy Govt 12-8-38

C 10 Law Secy 22/

Secy 12/8

L 5801 5

No A.3 2825/37

OFFICE OF THE DEPUTY COMMISSIONER,
KADUR DISTRICT.

Dated Chikmagalur, 1st June 1938

Encls 2.

SECY LOCAL SELF GOVT
11 JUN 1938
GOVT OF MYSORE

ML 98-38-1

9/11/61

B S RAGHAVENDRA RAO, Esq, M A (Hons),
Offg. *Deputy Commissioner, Kadur District*

To

P H Krishna Rao, Esquire, M A,
Secretary to Government of
His Highness the Maharaja of Mysore,
Local Self Government *Department,*
Bangalore

Sir,

Subject - Delegation of powers to the President, Municipal Council, Chikmagalur

---

I have the honour to forward herewith a copy of resolution dated 27th September 1937 of the Municipal Council, Chikmagalur resolving that certain powers and duties of the Municipal Council may be delegated to the President under Section 35 of the Town Municipalities Act VIII of 1933 I enclose herein for ready - reference a list of powers and duties referred to in the resolution. All the Powers and duties, except the powers under section 48 (2) (78(4)) may be delegated.

I have the honour to be,
Sir,
Your most obedient servant,
B Raghavendra Rao
Offg Deputy Commissioner,
Kadur District.

M N S

1990

Rules for delegation of certain powers to Presidents, Chikmagalur Town Municipality

File No. 98 of 1938

General and Revenue Secretariat

Serial No.

(5) It is necessary to formulate such resolutions as Rules under 46 (1)(a)

(6) Please see file above

25/10/38

(7) The draft is submitted for approval

Sd/- [illegible]

(8)

31/10/38

To the Dy. Comr., Kadur

Memo. No. 1161 dt. 7.11.38

Stating that the resolutions may be formulated as under and proposals returned for formulation

From the Dy. Comr., Kadur

Letter No. 981/38-39 dt. 12.1.39

for issue for sanction a copy of rules prepared by the Town Municipal Council, Chikmagalur under Sec. 46(1)(a) of the Act

(9) Submitted herein a draft G.O. for approval

(10) Vide para 15 supra. [illegible]

Sd/- [illegible]

Sd/- 1.11.38

Memo. No. 1161

25.1.39

To the D.C., Kadur

Letter dt. 6/12/39

approving the rules

II Member)

Memo. No. 27/11/-

21.1.39

6868

List of duties and powers that may be delegated to the President, Municipal Council. Chikmagalur.

******

Sl. No.	Section of the Act.	Duties or powers.	Remarks.
1.	48 (2)	Publication of drafts of proposed byelaws and hearing of objections.	This cannot be delegated.
2.	75	Acceptance of transfer of khatas.	All the powers except (1) may be delegated.
3.	78 (1) (i)(ii)	Charging of fees for certain licenses.	
4.	158 (1)	Regulation of certain trades and occupations, which are dangerous and nuisance to neighbours etc.	
5.	164 (1)	Power to order the execution of certain works on behalf of the Municipal Council, in default of owner or occupier and recovering the expenses thereon.	
6.	171	Power to compound offences.	
7.	175	Power to institute suits.	
8.	38 (5)	Power to call for tenders for execution of works.	
9.	101	Power to close streets temporarily	
10.	112	Power re: improvement of huts.	
11.	115	Power to call upon owner etc., to make sufficient drainage of houses.	
12.	117	-do- to make provision of privies etc.	
13.	119	Power in respect of sewers, etc., unauthorisedly constructed - rebuilt or unstopped.	
14.	120 (2)	Power to order that buildings should not be constructed on sewers etc., without permission.	
15.	123 (3)	Power to enforce the removal of projections.	
16.	141	Power to require the abatement of nuisances from wells etc.	
17.	147 (1)	Licensing markets. Slaughter house and certain business.	
	147 (2)	Power to order prosecution for - default under 147 (1)	
18.		Sanctioning estimates for original works upto Rs 200/- for works approved by the Municipal Council. Sanctioning estimates for repairs upto Rs 100/- Power to sanction -	

Proceedings of the General Meeting of the Chikmagalur Town Municipal Council, Convened at 4 30 PM on Monday the 27th September 1937 in Sree Ranadhirendhrarajawadiyar Town Hall, Chikmagalur

x x x

6) ಮುಂದಿನ ಕೆಲಸಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಅಧ್ಯಕ್ಷರಿಗೆ Executive powers ಕೊಡಲಿಕ್ಕಾಗಿ ಪರಿಷತ್ತಿನ ತೀರ್ಮಾನ ಕೋರಿದ್ದು

Resolution. ಮುಂದಿನ ಕೆಲಸಗಳನ್ನು ಕೈಗೊಳ್ಳಲು ಅಧ್ಯಕ್ಷರಿಗೆ Sections 48(3), 75, 78(1-4), 159(1), 164(1), 171, 175, 38(5) 101, 112, 115, 117, 119, 120(2), 123(3), 141, 147(1-3), be with approved by the Council, ಮುಂದಿನ ಕೆಲಸಗಳಿಗೆ ಆಗಲಿ ಹಣ ಮಂಜೂರು ಮಾಡುವ ಪರಿಷತ್ತಿನ ಸಭೆ ಮುಂದೆ ಇಟ್ಟು ಅಂದಾಜು ಪತ್ರಿಕೆ ತಯಾರಿಸಿ, ಮುಖ್ಯ ಅಧಿಕಾರಿಗಳಿಗೆ ಸಭೆಯ ಮುಂದೆ ಇಟ್ಟು ಅಂದಾಜು ಮಂಜೂರು ಮಾಡಿಕೊಳ್ಳಲು ಮುಂದಿನ ಸಭೆಯವರೆಗೆ ಕಾಯದೆ ಅಧ್ಯಕ್ಷರಿಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟು ಮಂಜೂರು ಮಾಡಿಕೊಳ್ಳಲು ಪರಿಷತ್ತಿನ ಮುಂದಿನ ಸಭೆಯಲ್ಲಿ ಪ್ರತಿ ಕೊಳ್ಳಲಾಗಿ ಮಂಜೂರು ಮಾಡಿಕೊಳ್ಳಲು ಕೆಲಸ ನಡೆಸಲಾಯಿತು

Sd/- B N Srinivasaiah
President.

"True Copy"
President
Town Municipal Council
Chikmagalur

G R. S App F VI—G 2]

SUBJECT ....

....

.. ..

Diary No of letter replied to 3 2 2 7-5

Section ml

File No. 98-38

Serial No. 2

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 2 9 1933

Read—

Signed by ....

Letter No. A3 20 257 37 9 1-6-1933 from the Secretary, Kadur Dist forwarding a copy of resolution 27-9-1933 of the Chikmagalur Town municipal Council under certain powers & duties of the municipal Council may be delegated to the President under Section 35 of the Town municipalities Act, VIII of 1933 and recommending that all the powers & duties vested in the Council under the resolution may be delegated to the President except the powers under Section 48(2) and 78(4)

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

Order thereon—No.

3 powers under Sections 48(2), 75, 78(1-4) 80(1), 164(1), 171, 175, 180(3), 101 12, 115, 117, 119, 120(2), 123(2) 141, 147(1-2)

1b

of the Act-

Order No 2166

For[illegible] are pleased to delegate the powers and duties under regard to the sections and [illegible] to the President of the Municipal Council, except those mentioned under Section 4 & (2) of the Town Municipalities Act- VIII of 1933.

The restriction of the municipal council of Zaria, with the omission of the powers mentioned in Sec 4 & (2) from the T.M Act, 1933

powers and duties under the Sections read alone as restricted by the Municipal Council,

for
Secretary to Government

To
The Resident, Kaduna Pr.

Copy to Provincial Secretary

List of Enclosures

Copied by

Examined by

WD 0279—GPB—22,500—14-4 38

D C.4]

No A 3 98 121/38-39

OFFICE OF THE DEPUTY COMMISSIONER,
KADUR DISTRICT

Dated Chikmagalur, 15th October 1938

FROM

B.S.Raghavendra Rao, Esq., M.A., (Hons)
Deputy Commissioner,
Kadur District.

To

P.H. Krishna Rao, Esquire, M.A.,
Secretary to the Government of Mysore,
L.S.G., Department, *Bangalore.*

Sir,

I have the honour to state that the Municipal Council, Chikmagalur have resolved on 30-9-1938 that the power under Section 170 of the Town Municipalities Act, to prosecute offenders against the provisions of the Act etc., be delegated to its President. As the institution of prosecution after obtaining sanction of the Municipal Council in each case will unnecessarily be delayed, I request you to obtain the sanction of Government to the resolution of the Municipal Council in question as this is permissible under Section 35 of the Act.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kadur District.

M.N.S.

Proceedings of the general meeting of the Chikmagalur Town municipal Council Convened on Friday the 30th September 38 at 4 P.M in the Sree Narasimharajawadiyar Town Hall, Chikmagalur.

x x x

ಚುನಾಯಿತ ಪುರಸಭಾ ಸದಸ್ಯರಲ್ಲಿ ಹೆಚ್ಚಿನ 170 ಕರ್ನಾಟಕ ಪುರಸಭೆಗಳ ಅಧ್ಯಕ್ಷರುಗಳಿಂದ ಕರ್ನಾಟಕ ಪುರಸಭೆಗಳ ಸಂಘವನ್ನು ಸ್ಥಾಪಿಸಲಾಗಿದೆ

Resolution

ಈ ಸಭೆಯು ಸಂಘದ ಸದಸ್ಯತ್ವ ಶುಲ್ಕ ರೂ 500 ಅನ್ನು ಪಾವತಿಸಲು ನಿರ್ಧರಿಸಿದೆ ಎಂದು ನಿರ್ಣಯಿಸಲಾಗಿದೆ

Extract.

PRESIDENT,
MUNICIPAL COUNCIL
CHIKMAGALUR

10/10

18
10/10/38

13

Appendix F G—1]

SUBJECT ..

Section Jud.
File No. 96-38
Serial No. 4.

Diary No. of letter replied to ..

No. L 3663

To

The Dy Comr, Kadur Dt

General and Revenue Secretariat

( )

the *193* .

Sir,

Subject — Resolution dated 20 9 38 of Bhadravathi Taluk Board delegating to the President certain powers (under Section 38 of the Local Municipal Act, 1933

With reference to your letter No A3 98-121/38-39 dated 15 10 38 on the above subject, I am directed to state that the resolution as well as the one for which sanction is sought in your No L2166/Rd 98-38-2 dated 9 9 38 may be formulated as Rules under Section 46(4)(b)(5) of the Mysore Local Boards Act, 1933 and the proposed resolution for sanction of the Rules thus framed.

I am,
Sir,
Your obedient servant,
Secretary to Government.

Date of issue. 7.11.38

Signed by M S H

List of enclosures. Nil

Copied by

Examined by

WD 0278—GPB—30,000—4-3-38

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore **5th November 1938.**

No L 3663/ Ml 98 38-4

From

The Secretary to the Government of His Highness the Maharaja of Mysore
Local Self Government Department

To

The Deputy Commissioner,
Kadur District.

Sir,

Subject.- Resolution dated 30th September 1938 of the Chikmagalur Town Municipal Council for delegating to its President certain powers (under section 35 of the Town Municipalities Act, 1933)

With reference to your letter No. A.3.98-121/38-39, dated 15th October 1938 on the above subject, I am directed to state that this resolution as well as the one for which sanction was accorded in Government Order No. L 2166/Ml. 98-38-2, dated 9th September 1938 may be formulated as Rules under Section 46(b)(i) of the Mysore Town Municipalities Act, 1933, and the proposals resubmitted for sanction of Government

I have the honor to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Local Self Government Department

TRM.2

D C 4]

No. A.3.981/38-39

OFFICE OF THE DEPUTY COMMISSIONER.
KADUR DISTRICT

Enc. 2

Dated Chikmagalur, 12th January 1939

From

B.S.Raghavendra Rao,Esq.,M.A.,(Hons)
Deputy Commissioner,
Kadur District.

To

P. H. Krishna Rao, Esquire, M.A.,

Secretary to the Government of Mysore,
L.S.G.,Department. *Bangalore.*

Sir,

Subject:- Delegation of Powers to the President,Chikmagalur Municipality - under Section 35 of T.M.A.

With reference to your letter No.L.3663/Ml.98-38-4 dated the 7th November 1938 on the above subject, I have the honour to forward herewith a copy of the rules prepared by the Municipal Council under Section 46 (b) of the Act together with a copy of the resolution of the Municipal Council. All the powers noted in the rules, except the power under Section 48 (2) may be delegated to the President.

I request you to kindly obtain sanction of Government to the same.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kadur District.

mns.

Proceedings of the general meeting of the Chickmagalur Town Municipal Council Convened on Tuesday the 29th November 1938 at 4-P m in the Sri Narasimharaja Wadeyar Town Hall, Chickmagalur

× × ×

ಚಿಕ್ಕಮಗಳೂರು ಪಟ್ಟಣ ಪುರಸಭೆಯ ಕಛೇರಿಯಲ್ಲಿ ಕೆಲಸ ನಿರ್ವಹಿಸಲು ಪುರಸಭೆಯ ಅಧ್ಯಕ್ಷರಿಗೆ ಕೆಲವು ಅಧಿಕಾರಗಳನ್ನು ನೀಡಲು ಪಟ್ಟಣ ಪುರಸಭೆಯ ನಿಯಮಗಳನ್ನು ರಚಿಸಿರುವ ಬಗ್ಗೆ Town municipal Act. 46(6) ಯ ಪ್ರಕಾರ ನಿರ್ಣಯಿಸಿರುವಂತೆ ಸದರಿ ನಿಯಮಗಳನ್ನು ಸರ್ಕಾರದ ಅನುಮೋದನೆಗಾಗಿ ಸಲ್ಲಿಸಿರುವ ಬಗ್ಗೆ ಆಯುಕ್ತರವರ ಪತ್ರ ಸಂಖ್ಯೆ A3-981-38/2018 11-38 ನೇ ಸಾಲು

Resolution

Resolved that the rules framed for delegation of powers to the President, under 46(6) of the Town Municipal Act be approved and the same be submitted to Govt for sanction

× × ×

copy

PRESIDENT
TOWN MUNICIPAL COUNCIL
CHICKMAGALUR

Pls
3/12/38

G R. S App F VI—G 2]

SUBJECT

17

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue ..193

Signed by

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

Section

File No.

Serial No

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Correspondence ending with the letter No A3 981/38-39 dated 12.1.39 from the Deputy Commissioner, Chikmagalur forwarding for sanction the rules framed under Section 46 (b)(2) of the Town Municipalities Act, 1933 by the Chikmagalur Town Municipal Council for the delegation of certain powers

Order thereon.—No powers under Section 36 of the said Act

Order No. [illegible]

The rules are approved as revised and appended to this order.

2) The Deputy Commissioner may be informed accordingly for report and record.

To the D.C. Kadur

List of Enclosure

Copied by

Examined by

WD C3602—GPO—22,500—12 7-85

Rules under Section 46 (b)(i) of the Town Municipal Act of 1933 relating to the powers delegated by the Municipal Council to the President of the Chikmagalur Town Municipality.

Under section 35 of the Town Municipal Act of 1933, the President of the Chikmagalur Town Municipal Council, shall, in addition to all and any powers that are or may be delegated to any Municipal Officer, or servant, under the Act or any Bye-Laws framed thereunder, exercise the powers conferred on the Municipal Council, by the following sections.

38(5)	Invitation of tenders for works exceeding Rs 200/-
48(2)	Publication of drafts of proposed Bye-Laws and calling for objections only, the powers of disposing objections being vested in the Municipal Council.
75.	Name of transferee to be substituted in the Municipal Registers.
78(1 to 4).	(1) Charging fee for certain licenses. (2) Charging fee for unauthorised occupation or projection. (3) Charging Market and other fees. (4) Farming of fees.
101.	Temporary closure of streets.
112.	Improvement of huts.
115.	Sufficient drainage of houses.
117.	Provision of privies etc
119.	Powers in respect of sewers etc, unauthorisedly constructed, rebuilt or unstopped etc.
120.(2)	Power to direct pulling down of the building, built over any sewer, drain, culvert, gutter, etc, belonging to the Municipality.
123(3)	Removal of projections.
141.	Abatement of nuisances from wells etc
147.(1) & (3)	Licensing markets, slaughter houses and certain businesses.
158(1)	Regulation of certain trades.
164(1)	Recovery of expenditure incurred by the Municipal Council for default of owner or occupier for execution.
170(1)	Power to prosecute offenders.
171.	Power to compound offences.
175.	Recovery of amounts by filing suits.

President
Town Municipal Council,
Chikmagalur.

B.V.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

19

Read –

Correspondence ending with letter No A3 981/38-39 dated 12th January 1939 from the Deputy Commissioner, Kadur District, forwarding for sanction draft rules framed under Section 46(b)(i) of the Town Municipalities Act, 1933 by the Chickmagalur Town Municipal Council for the delegation to its President of certain powers under Section 35 of the said Act

ORDER NO L 6185 | ml 98 38 6 | 31-2-39

Dated, Bangalore, the 31st January 1939

The rules are approved as revised and appended to this order

2 Ten printed copies of the rules may be sent to the Secretariat for reference and record

T. Narasa Chandra Rao

Secretary to Government,
Local Self-Government Department

To

The Deputy Commissioner, Kadur District.

S/S

Rules under Section 46(b)(i) of the Mysore Town Municipalities Act of 1933 relating to the powers delegated by the Municipal Council to the President of the Chikmagalur Town Municipality

- - - -

Under section 35 of the Mysore Town Municipalities Act of 1933, the President of the Chikmagalur Town Municipal Council, shall, in addition to all and any powers that are or may be delegated to any Municipal Officer, or servant, under the Act or any Bye-laws framed thereunder, exercise the powers conferred on the Municipal Council, by the following sections

38(5) Invitation of tenders for works exceeding Rs 200/-

75 Name of transferee to be substituted in the Municipal Registers

78(1 to 4). (1) Charging fee for certain licences
(2) Charging fee for unauthorised occupation or projection
(3) Charging Market and other fees
(4) Farming of fees

101 Temporary closure of streets
112 Improvement of huts
115 Sufficient drainage of houses
117 Provision of privies, etc
119 Powers in respect of sewers etc , unauthorisedly constructed, rebuilt or unstopped

120(2) Power to direct pulling down of the building, built over any sewer, drain, culvert, gutter, etc , belonging to the Municipality

123(3) Removal of projections
141 Abatement of nuisances from wells etc
147(1) & (2) Licensing markets, slaughter houses and certain businesses

158(1) Regulation of certain trades
164(1) Recovery of expenditure incurred by the Municipal Council for default of owner or occupier for execution

170(1) Power to prosecute offenders
171 Power to compound offences
175 Recovery of amounts by filing suits

Nanda Kumar M

For Secretary to Government,
Local Self-Government Department